IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

OP.No. 28891 of 2002(M)

PETITIONER:

O.P.GEORGE, S/O. LATE PAULOSE MATHAI,
ELATTUOLITHADATHIL HOUSE, PARAKODE,
KUMARAPURAM P.O., KIZHAKKAMBALAM,ERNAKULAM DIST.

BY ADV. SRI.ALEXANDER THOMAS

RESPONDENTS:
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1. JOINT REGIONAL TRANSPORT OFFICER,
SUB REGIONAL TRANSPORT OFFICE, PERUMBAVOOR,
ERNAKULAM DIST.

2. SPECIAL TAHSILDAR (REVENUE RECOVERY),
ALUVA, ERNAKULAM DIST.

3. STATE OF KERALA,
REP. BY ITS SECRETARY TO GOVT. OF KERALA,
TRANSPORT DEPARTMENT, GOVT.SECRETARIATE BUILDINGS,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.P.K.SHAKEELA.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 10/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.49131/02 IN O.P.NO.28891/02

DISMISSED

10.1.2007. SD/- KURIAN JOSEPH, JUDGE.

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1: TRUE COPY OF RELEVANT EXTRACT OF PAGES 2-7 OF THE RC BOOK OF THE PETITIONER'S VEHICLE BEARING REGISTRATION NO.KL-7/AA 4179.

EXT.P2 : TRUE COPY OF NOTICE DT. 6.10.2001 ISSUED BY THE FIRST RESPONDENT.

EXT.P3 : TRUE COPY OF REVENUE RECOVERY NOTICE NO.R10.3505/02 DT. 18.9.2002 ISSUED BY THE SECOND RESPONDENT.

TGS

KURIAN JOSEPH, J.

O.P.No.28891 of 2002

Dated 10th January, 2007.

J U D G M E N T

The issue raised in this writ petition pertains to the steps taken for recovery of Rs.4,000/- from the petitioner towards reservation fee for the registration of fancy number. The same was enhanced as per Government Order dated 5.6.2000 and published by S.R.O.No.538/2000 dated 16.6.2000. It is stated in the counter affidavit that the revised rates were given effect from 16.6.2000. However, it is admitted in the counter affidavit that "The communication regarding the revision of fee was received in the office only on 30.6.2000. The petitioner applied for reservation of registration number on 26.6.2000. Hence the application from the petitioner was accepted with a fee of Rs.1,000/-." Though normally, there being publication of rates, this Court would have taken a view against the writ petitioner, in view of the admitted factual position that the fee that was collected from the petitioner is only Rs.1,000/- for want of communication regarding the rates, and in view of the submission that had the fee been Rs.5,000/-, the petitioner would not have

ventured for such registration, it is made clear that no further action need be taken in the case of the petitioner, since an amount of Rs.1,000/- has already been collected from him.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No.28891 of 2002 (M)

J U D G M E N T

Dated 10th January, 2007.